

E-Filed 12/23/14

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHARLES ANTHONY BROOKS,

No. C 14-4835 RS (PR)

Petitioner,

ORDER OF DISMISSAL

v.

KEVIN ALLEN,

Respondent.

This is a federal habeas corpus action filed pursuant to 28 U.S.C. § 2254 by a state prisoner proceeding pro se. Petitioner has failed to comply with the Court's order to (1) perfect his application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$5.00. His IFP application lacks a necessary document: a Certificate of Funds completed and signed by an authorized prison officer. The form petitioner submitted was not completed or signed. Accordingly, this habeas action is DISMISSED without prejudice for failure to respond to the Court's order and for failure to prosecute under Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, petitioner may move to reopen the action. Any motion to reopen **must** contain (1) the document completed and signed as described above, **or** (2) full payment for the filing fee. The Clerk shall enter judgment in favor of respondent and close the file.

IT IS SO ORDERED.

DATED: December 23, 2014


RICHARD SEEBORG
United States District JudgeNo. C 14-4835 RS (PR)
ORDER OF DISMISSAL